



REMARKS

The Office Action dated June 27, 2006 has been received and its contents carefully noted. By the above actions, claims 1-21 are pending in the application. In order to better define that which Applicants regard as the invention, claims 1, 11, and 15 have been amended, and claims 19-21 have been added. In addition, claim 14 has been amended to correct a typographical error. No new matter has been added. Support for the amendments is provided in the original claims, Figures 1-6, and related text of the specification.

In view of these actions and the following remarks, reconsideration of this application is now requested.

Rejections under 35 U.S.C. § 103

Claims 1-5 and 9-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Int'l PCT Pub. No. WO 03/082178 to Bastia et al. in view of U.S. Pat. No. 4,604,993 to Moriwaki et al., along with U.S. Pat. No. 5,593,212 to Praria et al. Applicants respectfully submit that the rejection has been overcome in view of the amendments made to independent base claims 1, 11, and 15. In particular, independent claim 1 now recites "a thumbscrew adapted to removably attach the massage head cover to the massage head." Furthermore, independent claims 11 and 15 now recite "attaching, with a thumbscrew, the massage head cover to the massage head."

As the present specification states, in reference to Figure 1:

As discussed, the massage head cover 20 is formed to engage the massage head 14. According to the first exemplary embodiment, a thumbscrew 36 may be attached to a tab (not shown) running through the massage head cover 20. The tab is insertable into a massage head slot 38. Turning the thumbscrew 36, after the tab has been inserted into the massage head slot 38, engages the massage head cover 20 to the massage head 14.

(See present specification as filed, page 7, line 22-page 8, line 3.) With regard to Figure 5, the present specification also states that "[t]he step of attaching 108 the massage head cover 20 to the massage head 14 may be completed, for example, by inserting the thumbscrew 36 tab into the massage head slot 40 and turning the thumbscrew 36." (See present specification as filed, page 9, lines 16-18.) Similarly, referring to Figure 6, the present specification explains that "[t]he step of attaching 134 the massage head cover 20 to the massage head 14 may be completed, for example, by inserting the thumbscrew 36 tab into the massage head

slot 40 and turning the thumbscrew 36.” (See present specification as filed, page 11, lines 8-11.)

None of the references cited by the Examiner disclose, or even suggest, the use of a thumbscrew as required by independent claims 1, 11, and 15. According to the Examiner, the gel pad 20 shown in Figures 1-2A of Bastia et al. is a massage head cover on a massage head 16. (See Office Action, page 2, lines 14-16; See also Bastia et al., page 5, lines 19-20.) Nowhere does Bastia et al. teach attaching the gel pad 20 to the massage head 16 with a thumbscrew. In fact, there is absolutely no suggestion in the reference that the gel pad 20 can even accommodate the use of a thumbscrew.

The Examiner also explains that Figure 4 of Praria et al. teaches “a pad [36] that provides a covering for a vibrator [30], [where] the pad includes a gel that is freezable.” (See Office Action, page 2, line 26-page 3, line 1.) Thus, the Examiner asserts that the pad 36 of Praria et al. corresponds to the massage head cover recited in the claims. Nowhere in the reference is there any suggestion that the pad 36 can be attached to a massage head with a thumbscrew.

Furthermore, Maoriwaki et al. merely discloses “a vibratory massage device . . . which includes a generally cylindrical hollow housing 1 . . . and an applicator head 10 supported thereby.” (See Maoriwaki et al., column 3, lines 50-55.) This reference also fails to teach, or even suggest, attaching a massage head cover to a massage head with a thumbscrew.

Accordingly, because the references cited by the Examiner do not teach the use of a thumbscrew, the references, alone or in combination, fail to disclose each and every element of the independent claims 1, 11, and 15. Thus, withdrawal of the rejection is in order and is respectfully requested. In addition, Applicants respectfully submit that dependent claims 2-5 and 9-10, 12-14, and 16-18 are allowable since they depend on what are now allowable base claims 1, 11, and 15.

Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the references as applied to the claims above, and further in view of U.S. Pat. No. 6,758,826 to Luetzgen et al. Applicants respectfully submit that dependent claims 6 and 8 are at least allowable based on their dependency on what is now allowable base claim 1.

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the references as applied to the claims above, and further in view of U.S. Pat. No. 4,958,628 to Iwamoto et al. Applicants respectfully submit that dependent claim 7 is at least allowable based on its dependency on what is now allowable base claim 1.

Therefore, in view of the amendments and the remarks provided herein, the present application is now believed to be in condition for allowance. However, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that further prosecution of this application can thereby be expedited.

Respectfully submitted,



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